



Entered on Docket
January 27, 2010

Hon. Linda B. Riegler
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:

THE RHODES COMPANIES, LLC, aka
"Rhodes Homes," et al.,¹
Debtors.

Case No.: BK-S-09-14814-LBR
(Jointly Administered)

Chapter 11

Affects:

- ☐ All Debtors
☒ Affects the following Debtor(s):

The Rhodes Companies, LLC 09-14814;
Rhodes Ranch General Partnership 09-
14844; and Tuscany Acquisitions, LLC 09-
14853

Hearing Date: January 14, 2010
Hearing Time: 9:00 a.m.
Courtroom 1

**ORDER GRANTING DEBTORS' OMNIBUS OBJECTION TO CABINETEC INC.'S
CLAIMS PURSUANT TO SECTION 502(b) OF THE BANKRUPTCY CODE AND
BANKRUPTCY RULES 3003 AND 3007 [DOCKET NO. 834]**

¹ The Debtors in these cases, along with their case numbers are: Heritage Land Company, LLC (Case No. 09-14778); The Rhodes Companies, LLC (Case No. 09-14814); Tribes Holdings, LLC (Case No. 09-14817); Apache Framing, LLC (Case No. 09-14818); Geronimo Plumbing LLC (Case No. 09-14820); Gung-Ho Concrete LLC (Case No. 09-14822); Bravo, Inc. (Case No. 09-14825); Elkhorn Partners, A Nevada Limited Partnership (Case No. 09-14828); Six Feathers Holdings, LLC (Case No. 09-14833); Elkhorn Investments, Inc. (Case No. 09-14837); Jarupa, LLC (Case No. 09-14839); Rhodes Realty, Inc. (Case No. 09-14841); C & J Holdings, Inc. (Case No. 09-14843); Rhodes Ranch General Partnership (Case No. 09-14844); Rhodes Design and Development Corporation (Case No. 09-14846); Parcel 20, LLC (Case No. 09-14848); Tuscany Acquisitions IV, LLC (Case No. 09-14849); Tuscany Acquisitions III, LLC (Case No. 09-14850); Tuscany Acquisitions II, LLC (Case No. 09-14852); Tuscany Acquisitions, LLC (Case No. 09-14853); Rhodes Ranch Golf and Country Club, LLC (Case No. 09-14854); Overflow, LP (Case No. 09-14856); Wallboard, LP (Case No. 09-14858); Jackknife, LP (Case No. 09-14860); Batcave, LP (Case No. 09-14861); Chalkline, LP (Case No. 09-14862); Glynda, LP (Case No. 09-14865); Tick, LP (Case No. 09-14866); Rhodes Arizona Properties, LLC (Case No. 09-14868); Rhodes Homes Arizona, L.L.C. (Case No. 09-14882); Tuscany Golf Country Club, LLC (Case No. 09-14884); and Pinnacle Grading, LLC (Case No. 09-14887).

1 Upon consideration of the *Debtors' Omnibus Objection to Cabinetec Inc.'s Claims*
2 *Pursuant to Section 502(b) of the Bankruptcy Code and Bankruptcy Rules 3003 and 3007*
3 [Docket No. 834] (the "Omnibus Objection"),² filed by above-captioned debtors and debtors in
4 possession (collectively, the "Debtors"), requesting that the Court enter an order disallowing and
5 or reclassifying the Cabinetec Claims as set forth in the Column marked "Proposed
6 Treatment/Disposition" in **Exhibit A** attached hereto; and the Court having jurisdiction to
7 consider the Omnibus Objection and the relief requested therein pursuant to 28 U.S.C. §§ 157
8 and 1334; and the relief requested therein being a core proceeding pursuant to 28 U.S.C. §
9 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and
10 the Court having reviewed the Omnibus Objection; the Court hereby finds and determines that,
11 pursuant to Rule 3007 of the Federal Rules of Bankruptcy Procedure, due and proper notice has
12 been provided to the holders of the Cabinetec Claims and all other parties entitled to notice; and
13 no other or further notice is necessary; and the relief requested in the Omnibus Objection is in
14 the best interests of the Debtors, their estates and creditors; and that the legal and factual bases
15 set forth in the Omnibus Objection establishes just cause for the relief requested therein;
16 therefore IT IS HEREBY ORDERED THAT:

- 17 1. The Omnibus Objection is granted.
- 18 2. The Cabinetec Claims identified on **Exhibit A** are hereby disallowed in their
19 entirety, and/or reclassified as general unsecured claims, in the original amount, as set forth in
20 the column marked "Proposed Treatment/Disposition" in **Exhibit A** attached hereto.
- 21 3. This Court shall retain jurisdiction to hear and determine all matters arising from
22 the implementation of this Order.

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² Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Omnibus Objection.

APPROVED / DISAPPROVED:

DATED this ____ day of January, 2010.

By: Edward M. McDaniel Jr.
UNITED STATES TRUSTEE

August B. Landis
Office of the United States Trustee
300 Las Vegas Blvd. S., Ste. 4300
Las Vegas, NV 89101

Submitted by:

DATED this 14th day of January, 2010.

By: /s/ Zachariah Larson

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LR 9021 Certification

In accordance with LR 9021, counsel submitting this document certifies as follows (check one):

☐ The court has waived the requirement of approval under LR 9021.

☐ This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

☐ This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

☒ I certify that I have served a copy of this order with the motion, and no parties appeared or filed written objections.

Submitted by:

DATED this 14th day of January, 2010.

By: /s/ Zachariah Larson

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EXHIBIT A

EXHIBIT A**To Omnibus Objection to Cabinetec Inc.'s Claims**

Claim No.	Claimant Name	Filed in Debtor Case	Claim Amount Secured	Claimed Amount Unsecured	Claimed Amount Priority	Total Claimed Amount	Modified Amount Secured	Modified Amount Unsecured	Modified Amount Priority	Total Modified Amount	Proposed Treatment/Disposition
13	CABINETEC, INC. ATTN: SHERI FOREMAN 2711 EAST CRAIG RD, #A N LAS VEGAS, NV 89030	09-14853	12,285.52	5,243.36		17,528.88		17,258.88		17,258.88	Reclassify as a general unsecured claim in the original amount
35	CABINETEC, INC. ATTN: SHERI FOREMAN 2711 EAST CRAIG RD, #A N LAS VEGAS, NV 89030	09-14844	45,445.36	6,929.00		52,374.36		52,374.36		52,374.36	Reclassify as a general unsecured claim in the original amount
31	CABINETEC, INC. ATTN: SHERI FOREMAN 2711 EAST CRAIG RD, #A N LAS VEGAS, NV 89030	09-14814	59,169.68	20,119.10		79,288.78	0.00	0.00		0.00	Disallow claim in its entirety